

REMARKS

Claims 5, 7-18, 24-28 and 35-49 are pending in this application.

Entry of Amendment

The above amendment should be entered because it places this application in condition for allowance.

PTOL-326

In item 1 of PTOL-326 there appears to be a computer error. The date to which the final Office Action was responding to has not been included. While it is not considered necessary the Patent Office may wish to clarify the record.

Also on the PTOL-326 in Section 6 claim 5 was indicated rejected but in Section 5 it was indicated as allowable. This is understood to be a typographical error as there was no rejection on claim 5 in the body of the Office Action.

Foreign Priority

The Examiner is requested to indicate that the foreign priority documents have been received. See for example the comment in the Reply of July 13, 2004 page 18 last two paragraphs.

Information Disclosure Statement

It is requested that the Examiner acknowledge that the document H-3-24081 has been considered. See the comment in the Office Action of July 13, 2004 page 18 first two full paragraphs.

Restriction Requirement

The claims drawn to the distinct invention have been canceled. The applicants reserve their rights to file a divisional application directed to the restricted claims.

Reply to Rejections

Claims 47-49 were rejected under 35 USC 112 second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. Claim 47 is now dependent on claim 46 to cure the “antecedent basis.”

Also “slit” has been changed to --gap—to be consistent with the Specification (page 27, lines 15-19).

The Examiner is requested to reconsider and withdraw the rejection of the claims under 35 USC 112.

Second Rejection

Claims 1 and 52 were rejected under 35 USC 103(a) as being unpatentable over Culver (USP 1,564,760) in view of Japanese document JP4224793. This rejection is moot as these claims have been canceled.

Third Rejection

Claims 19-22 were rejected under 35 USC 103(a) as being unpatentable over Japan '793 in view of Rose, Leonhardt et al. or Satoh et al. This rejection is moot as these claims have been canceled.

Fourth Rejection

Claim 23 was rejected under 35 USC 103(a) as explained in section 5 of the Office Action. This rejection is moot as claim 23 has been canceled.

Fifth Rejection

Claims 45 and 50 were rejected under 35 USC 102(b) as being clearly anticipated by Blustain. Claim 45 has been canceled and its subject matter has been included in claim 46, indicated allowable. Claim 50 has been canceled and the rejection is moot.

Fifth Rejection

Claim 47 was rejected under 35 USC 103(a) as being unpatentable over Blustain in view of Strohmaier. This rejection is traversed.

Claim 47, is now dependent on claim 46 (amended) which was indicated allowable.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claim under 35 USC 103.

Allowable Subject Matter

Claim 46 was objected to as being dependent upon a rejected base claim. For the reasons set forth above, claim 46 is now amended to include the subject matter of its base claim.

Claims 48 and 49 would be allowable if rewritten to overcome the rejection under 35 USC 112 second paragraph, set forth in this Office Action and to include all the limitations of the base claim and any intervening claims. These claims, which are dependent on claim 47 no longer have an antecedent problem. These

claims are considered patentable at least for the same reasons as their base or intervening claims as explained *supra*.

Claims 5, 7-18 and 35-44 stand allowed.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Elliot Goldberg (Reg. No. 33,347) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Charles Gorenstein, #29,271

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

CG/EAG/jm  
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